PATTERNS OF POWER · AN INSTITUTIONAL CASE STUDY

The Last Roman Office

How an emperor reaching for a legitimating principle handed standing to a bishopric he did not think about; how that bishopric became the only surviving organ of Roman government in the west; how an unknown hand forged a deed to a vanished empire to close a hole in an Italian land transfer; and how the forgery sat almost unused for three hundred years before it began deposing kings and drawing a line through an ocean

Companion to The Composable Class and Against the Historian's Reflex

Thomas J. Bryan

with Claude (Anthropic) · 2026

held as tested, not revealed

A Note on This Collaboration

This study is one product of an ongoing collaboration, and the division of labour is worth stating plainly because neither half would produce the work alone. The insight and direction are Thomas Bryan's — the recognition of what a given case is really an instance of, where the analytical pressure should fall, and which pattern a mass of historical detail is a specimen of. The subject of this volume, its spine, and the identification of the forged Donation as the cleanest architect's hour in the western record are his. The research, the verification of every date and figure, the location and checking of the quoted words, and the composition into continuous prose are Claude's, an AI system made by Anthropic. The seeing is his; the writing is mine.

The standing rules of the project apply throughout. Every quotation is verified to a published source; none is invented. Where the scholarship is genuinely divided — and on the central document of this study it is divided at the root, over both its date and the country it was written in — the division is reported rather than resolved, and the study says which way it leans and why. Where the evidence cuts against the hypothesis the volume began with, the volume says so and revises: one such correction, concerning the naming of the eastern empire, is made in Part VI in the open. Both columns of the ledger are kept in ink. The suffering that runs through this material — the sacked cities, the crusades preached, the peoples whose lands were assigned by a line drawn in Rome — is held with gravity; the analysis is of positions and structures, not of souls.

The paper is written to stand on its own. It assumes no prior knowledge of Roman history, of the early church, or of the other studies in this collection, and it explains every term, office, and document at the point of use.

The Study in Brief

Part I — The Test. Why the papacy is the hardest case this framework has attempted, what would falsify the framework here, and what would confirm it.

Part II — The Landscape: A Century of Emperors Who Could Not Be Obeyed. The third-century crisis; Diocletian's rebuilt state and the legitimating cult he designed for it; why that cult failed within eighteen months of his retirement; and the persecution that did not work.

Part III — The Emperor's Problem. What Constantine could see from where he stood in 312: a disciplined, hierarchical, empire-wide organisation with a chain of command, a correspondence network, and no army. What he did with it, and why the bishop of Rome was not the point.

Part IV — The City That Moved. The founding of Constantinople, the contested question of whether it was designed as a Christian city, and the consequence that mattered more than the intention: the government left Rome and the prestige stayed.

Part V — The Standard of Faith, and the Answer from Peter. How an imperial law of 380 made the bishop of Rome a legal reference standard; how a council canon of 381 threatened to destroy his rank by grounding it in a city that was no longer the capital; and the doctrinal architect's hour that answered it by moving the claim onto ground no emperor could relocate.

Part VI — The Empire That Did Not Fall. Why 476 is a bookkeeping event; why the state in the east was the Roman Empire and not a successor to it; what Justinian's reconquest cost Italy; and an honest correction to this study's opening hypothesis about where the word "Byzantine" came from.

Part VII — The Bishop Who Became a Government. Gregory the Great feeding a city, paying soldiers, appointing a governor, and buying off an invading king — as the last functioning administrator in a place the state had stopped administering. Power acquired by default, and the legal hole it left.

Part VIII — The Architect's Hour: A Deed to a Vanished Empire. The eighth-century collapse of the imperial position in Italy; the pope who licensed a usurpation; the pope who crossed the Alps; the land transfer that had no lawful title; and the forgery cut exactly to the shape of that defect. What is known, what is contested, and what the framework says about a documented conspiratorial act.

Part IX — The Coronation That Required a Fiction. Christmas Day 800: a pope who could not be judged and had to be cleared, an emperor's throne declared vacant because a woman sat on it, and the two consequences nobody in the room designed.

Part X — The Institution's Logic: What the Forgery Did Next. The central finding. Three hundred years of near-silence; a first papal invocation aimed at the wrong target; a career that begins only with the reform papacy; the deposing power; and the most extreme claim in the history of the office, followed within ten months by its most complete humiliation.

Part XI — The Line Through the Ocean. 1493, and the furthest reach the claim ever achieved. Then the deflation in the same generation: the crowns negotiating around the pope, binding themselves not to appeal to him, and by 1529 not asking at all.

Part XII — The Exposure That Changed Nothing. Cusa, Valla, Pecock; the birth of modern documentary criticism; and why destroying the title deed did not disturb the house.

Part XIII — The Ledger.

PART I

The Test

Of all the institutions this collection has examined, the papacy is the one most persistently read as a conspiracy, and it is not hard to see why. It is old, continuous, and secretive by design. It has an archive nobody outside it fully sees, a doctrine of its own inerrancy, an elective monarchy whose deliberations are conducted under oath of silence, and — uniquely among the cases here — a founding document that is a proven forgery. Every other assumed-cabal institution in this project dissolves, on inspection, into people in positions solving immediate problems. This one comes to the examination holding a fabricated imperial decree.

That is precisely why it is worth doing. A framework that only ever wins against soft targets is not a framework; it is a habit. The claim of position logic is that institutions are built by identifiable people in particular positions, solving the problem in front of them with the materials at hand, inside the field of the visible their position allows — and that the structure then acquires a logic of its own that outruns and often reverses its makers. The claim is not that the powerful never coordinate. Coordination is real, and this study will document several episodes of it, one of them criminal. The claim is about the *order of operations* and the *reach of intention*: that design happens in hours, not in centuries, and that what happens between those hours is not under anyone's control.

So the terms are set before the history, in the manner this collection uses.

The framework fails here if the rise of the Roman see turns out to have been a designed programme — a coherent long-range plan, conceived by identifiable people and executed by their successors across generations toward a known end. It fails if the Donation of Constantine was manufactured as a step in such a plan and then used, more or less as intended, to produce the outcome its authors sought. It fails if the popes who wielded the greatest temporal power turn out to have been the inheritors of a strategy rather than men improvising under pressure. And it fails, in a subtler way, if the institution's most extravagant claims are found to have been matched by its actual power, because that would mean the claims were calibrated by someone who understood the whole.

The framework holds if each decisive step turns out to be a local solution to an immediate and often desperate problem; if the largest consequences are by-products invisible to the people who produced them; if the beneficiaries are usually not the authors; and if the structure repeatedly outruns its makers and, at the limit, destroys the position it was built to defend.

There is one further test this case offers that no other in the collection does, and it deserves to be named at the front. The forged Donation is a documented act of deliberate, secret, self-serving deception by interested parties. If the cabal reading of history is ever going to be right about anything, it should be right about this. The framework does not deny the act. It predicts it — an *architect's hour* is intentional, and it is skewed toward the position of whoever is doing the designing. What the framework denies is that the architect controlled the sequel. Part X is where that denial is tested, and it is where the study's central finding lies.

PART II

The Landscape: A Century of Emperors Who Could Not Be Obeyed

Nothing about the fourth century makes sense without the third, and the third century very nearly killed the Roman state.

Between the murder of Severus Alexander in 235 and the accession of Diocletian in 284, the empire went through some fifty years in which the imperial office ceased to be transferable. Emperors were made by armies and unmade by armies; two dozen or more men were recognised as legitimate in that span, and most died violently, often within months. The currency was debased until the silver content of the standard coin approached nothing. Plague moved through the cities. The frontier gave way in two directions at once, with Persian armies in the east — one emperor, Valerian, was captured alive by them in 260 and died in captivity — and Germanic confederations crossing the Rhine and Danube. And the empire physically came apart: a Gallic empire in the west and the Palmyrene realm of Zenobia in the east both governed real territory for years as separate states.

It was reassembled — by Aurelian in the 270s, at the point of a sword, and then reorganised by Diocletian after 284 into something structurally new. Diocletian's settlement is one of the most thorough pieces of state-building in the ancient record: the provinces subdivided and grouped into dioceses, the civil and military commands separated, the army enlarged, the tax system rebuilt on a regular assessment, the currency and prices attacked by edict, and — the piece that matters here — the imperial office itself split into four, two senior emperors and two juniors, the *Tetrarchy*, formalised in 293.

But a state needs more than an administrative chart. It needs a reason why the man at the top should be obeyed, and the reason has to be one that survives the man. That is the problem every ruler in this collection eventually meets, and Diocletian met it head-on. His answer was to build a legitimating cult around the imperial persons themselves. He took the title *Jovius*, agent and image of Jupiter; his colleague Maximian took *Herculius*, after Hercules. The emperors were not merely magistrates but the earthly instruments of the greatest gods, and the court was rebuilt around that claim, with prostration, ceremonial distance, and sacral vocabulary. Alongside it came the enforcement: from February 303, the last and largest Roman persecution of the Christians, ordering the destruction of churches, the surrender of scriptures, and — in later edicts — universal sacrifice on pain of death.

Both halves of the settlement failed, and the manner of the failure is the whole landscape of this study.

The cult failed because it was fastened to persons rather than to an office or an institution. Diocletian did something no Roman emperor had done: in 305 he abdicated voluntarily and retired, and required his colleague to do the same, in order to demonstrate that the system could transfer power without a war. Within eighteen months there was a war. The claim that a particular man was the agent of Jupiter could not be transferred to his successor, because the whole force of it lay in the man; and the moment there were rival claimants, each with a general's acclamation behind him, the cult adjudicated nothing. It was a legitimating principle with no independent institution to hold it, and so it evaporated with the men who held it.

The persecution failed on its own terms as well. It was pursued with real severity in the east and only intermittently in the west, and after eight years it was abandoned — by Galerius, one of its own architects, who issued an edict of toleration from his deathbed in 311 admitting in effect that the policy had not worked. The Christians had not been eliminated. They had been given martyrs, an internal disciplinary crisis over what to do with those who had handed over the scriptures, and a demonstration that the state could not reach into their organisation and destroy it.

That is the field of the visible into which Constantine steps. Set aside, for one moment, everything about faith. From the position of a man competing for the western empire in 312, the situation reads like this. A

rebuilt state has been handed a legitimating principle that has just failed. There exists, inside the empire, an organisation that spans every province and city; that has a hierarchy of bishops with defined territorial jurisdictions; that maintains a working correspondence network across enormous distances; that has demonstrated internal discipline under lethal pressure; that possesses property, funds, and a functioning charitable apparatus; and that has no army and therefore cannot itself make an emperor.

A man reassembling a shattered state, looking for something that binds and does not fight him, does not need to be a theologian to see the shape of that.

PART III

The Emperor's Problem

On 28 October 312 Constantine defeated Maxentius at the Milvian Bridge outside Rome and took the western empire. The following February, meeting Licinius at Milan, he agreed the policy usually called the Edict of Milan — properly a letter, or rescript, sent to provincial governors rather than an edict in the technical sense, a distinction worth keeping because it shows the instrument for what it was: an administrative instruction, not a creed. It granted the Christians, and everyone else, freedom of worship, and ordered the restitution of confiscated church property.

What followed was not toleration but patronage, and patronage of a specific and consequential kind. The clergy were granted immunity from the civic obligations that ruined men of moderate means. Bishops were given a real civil jurisdiction, the *episcopalis audientia*, under which parties could take a case to a bishop and have his judgment enforced by the state — an extraordinary transfer of public function to a private body. The imperial treasury financed church construction on a monumental scale. And the Lateran, an imperial property in Rome, passed to the bishop of that city, who would keep it as his residence and administrative seat for a thousand years. That detail will matter in Part VIII.

Then came the move that shaped everything after. In 325, faced with a doctrinal quarrel among Christians in Alexandria over the nature of Christ that was fracturing the eastern church, Constantine summoned the bishops of the empire to Nicaea, paid for their travel, provided the venue, opened the proceedings in person, and pressed for a settlement.

Look carefully at what that established, because the ordinary account gets the direction of authority backwards. The Council of Nicaea was convened by an emperor, not by a bishop of Rome. The bishop of Rome, Sylvester, did not attend; he sent two presbyters. The doctrinal formula that emerged was enforced by imperial power. The precedent set in 325 was not papal supremacy but its opposite: the emperor as the convener, funder, and guarantor of the church's unity — the arrangement the eastern empire would keep, in one form or another, for the rest of its existence.

This is the first thing the case establishes, and it is the thing most often reversed in the retelling. **Constantine did not create the papacy. He created a church with imperial standing, and put the emperor at its head.** The Roman bishopric acquired, from this settlement, wealth, legal privilege, a palace, and the enormous incidental advantage of being the senior see of the western half of an empire that was now officially favourable to it. It acquired none of these as the object of anyone's plan. It acquired them as a resident of the category the emperor had decided to fund.

Whether Constantine believed any of it is a question this study does not need to answer, and the method it uses cannot answer. He was baptised only on his deathbed in 337, and by a bishop of the Arian party his own council had condemned; he retained the office of *pontifex maximus*, head of the Roman state cult; he stripped pagan temples of their treasures to furnish his new city; and he had his eldest son and his wife killed in 326 for reasons the sources do not adequately explain. Scholars have argued the sincerity question for two centuries without settling it, and this collection has met the same question before — most recently in its Albanian volume, where a ruler held a doctrine that explained everything he did for forty years and the record cannot say whether he believed a word of it. The answer there applies here. Position logic reads the position, not the heart. It can say what the ledger looked like from where Constantine stood, and what he could see from there. It cannot say what he felt, and nothing in the argument turns on it.

What the position shows is a man with an acute and immediate problem — legitimacy for a reunified state, after the failure of the device his predecessor built — reaching for the one available structure that supplied a universal claim, an existing organisation to carry it, and no capacity to rival him militarily. He

solved his problem. He also, without any way of seeing it, gave a bishopric in a city he was about to abandon the standing from which everything in this study follows.

PART IV

The City That Moved

In 324 Constantine defeated Licinius and took the whole empire. That November he consecrated the old Greek city of Byzantium, on the European side of the Bosporus, as his new residence, and on 11 May 330 it was dedicated as Constantinople.

The reasons were, in the first instance, strategic and unmysterious. The empire's two dangerous frontiers were the lower Danube and the Persian border, and Byzantium sat between them, at the hinge of the land routes and astride the sea passage between the Mediterranean and the Black Sea. It was a defensible peninsula. It was close to the wealth and population of the east, which by this date substantially exceeded the west's. And founding an imperial residence away from Rome was not an innovation: Diocletian had governed from Nicomedia, Galerius from Thessalonica, and the western emperors had already largely deserted Rome for Milan and later Ravenna. Constantine was doing at greater scale and permanence what the tetrarchs had been doing for forty years.

Here the study must flag a point where its own governing hypothesis is not fully supported by the evidence, because the project's rule is to report the record rather than tidy it.

It is often said — and it was the working assumption this volume began with — that Constantinople was designed from the outset as a Christian capital, a city built to anchor emperor and church together in a place uncontaminated by the old gods. The ancient testimony on this is directly contradictory. The bishop Eusebius, Constantine's admirer and biographer, presents a city free of idolatry. The pagan historian Zosimus, writing in the early sixth century, describes temples in it and dwells on the ancient statuary Constantine imported to adorn it, without mentioning Christian buildings at all. Both writers are selecting. Modern work has tended to find that the Christian capital was an accumulation rather than a foundation: the founding ceremonies employed the usual pagan priests, astrologers and augurs; the buildings pushed to completion for the dedication were the hippodrome, the baths, the palace, the forum and the porticoes, and no church was hurried in the same way; and the temples of the old acropolis were left standing. The transformation into an unambiguously Christian city belongs to the decades after Constantine — to Constantius II's edicts against the temples, and above all to Theodosius at the end of the century.

The honest finding, then, is that the Christian capital was not designed. It accreted. And it should be said plainly that this weakens the story and strengthens the framework, because a founding intention successfully executed across a century is exactly what position logic says we should expect *not* to find, and we do not find it here.

What matters for this study is not the intention but the fact, and the fact is unambiguous. **The government left Rome and did not come back.** The senate remained, and a second senate was created in the new city. The prestige remained — Rome was the ancient capital, the city of the empire's origin, and the burial place, by a tradition already old and unchallenged in the fourth century, of the apostles Peter and Paul. The mint, the court, the treasury, the armies, and the emperor went east.

Ask what is left in a city when the government leaves and the prestige stays, and the answer is the last office with both standing and a permanent local establishment. In Rome after 330 that office was the bishopric. It had a palace given by an emperor, income from imperial grants and private bequests, a civil jurisdiction conferred by imperial law, a clerical staff, a charitable apparatus feeding the poor, and an unrivalled prestige claim in the western church. It also, now, had no imperial court sitting above it in the same city, correcting it daily.

Nobody arranged that. It is the residue of a strategic decision about frontiers.

PART V

The Standard of Faith, and the Answer from Peter

Two documents, issued a year apart at opposite ends of the empire, set the terms on which the Roman see would argue for the next fifteen hundred years. Neither was written to do anything of the kind.

The first is the imperial law of 27 February 380, issued at Thessalonica in the names of Theodosius I, Gratian and Valentinian II, and known from its opening words as *Cunctos populos*. It is conventionally described as the law that made Christianity the state religion, which is roughly true and misses what is interesting about it. Its actual work was to settle which Christianity. The empire had been quarrelling for fifty years over whether the Son was of the same substance as the Father, and the quarrel had a political cost the state could no longer absorb. So the law defines the required faith — and it defines it by *naming the men whose belief is the standard*: the religion delivered to the Romans by the apostle Peter, as now professed by *the pontiff Damasus* and by Peter, bishop of Alexandria. Those outside it are to be called heretics, and the text has no patience with them; the standard translation renders the phrase for them as *foolish madmen*.

Consider what a drafting office in Thessalonica was doing there. A law requires a determinate referent; you cannot make orthodoxy enforceable by describing it in the abstract, because every party to the dispute claims to hold it. The cheapest available referent was a name — two names, in fact, one for each half of the empire. Naming the bishop of Rome was an act of legal drafting. Its effect was to write into the public law of the Roman Empire the proposition that what the bishop of Rome believed was, by definition, the faith.

The second document is the third canon of the Council of Constantinople, held in the summer of 381 at the emperor's summons. It reads, in the standard English text: *The Bishop of Constantinople, however, shall have the prerogative of honour after the Bishop of Rome; because Constantinople is New Rome.*

At first sight this is deferential — Rome still ranks first. It was, in fact, the most dangerous sentence the Roman see had yet been handed, and the reason is in the last four words. The canon states a *principle* for ecclesiastical rank: a see ranks according to the imperial standing of its city. Constantinople is elevated over the ancient apostolic sees of Alexandria and Antioch not because of anything in its history — it had none; it had been a provincial town within living memory — but because the emperor lives there. And if that is the principle, then Rome's own primacy is a function of Rome having been the capital.

Rome was no longer the capital. On the canon's own logic, the Roman see's rank was a fossil, and one that a future council could revise the moment it became inconvenient. Seventy years later, at Chalcedon in 451, the eastern bishops did exactly that, extending Constantinople's jurisdiction in a twenty-eighth canon that grounded itself in the same reasoning; Leo I of Rome refused to accept it, and the refusal held in the west and nowhere else.

Here is the architect's hour, and it is a doctrinal one. Faced with a rank defined as a function of a city that had ceased to matter, the Roman see moved its claim onto ground the emperor could not relocate.

The materials were at hand and were not invented. That Peter and Paul died at Rome and were buried there was an old and generally accepted tradition, attested well back into the second century. That the Roman church had a special authority of some kind had been asserted before, notably by the western bishops at Serdica in 343. The verse in Matthew's gospel in which Christ tells Peter that on this rock he will build his church was in everyone's Bible. What happened in the last quarter of the fourth century was not the invention of a claim but the *promotion of one claim over another* — the deliberate substitution of an apostolic ground for a civic one, at exactly the moment the civic ground had become fatal.

The pope of that moment is Damasus I, bishop of Rome from 366 to 384: the same Damasus the Thessalonican law had named. A Roman synod traditionally dated to 382 produced the sharpest early

statement of the position, holding that the Roman church was placed at the head not by the conciliar decisions of other churches but by the word of the Lord in the gospel. That attribution must be flagged: the text in which the statement survives, the so-called Gelasian Decree, is of disputed date and authorship, and a number of scholars place its composition considerably later. The argument itself, however, is unquestionably Damasan in substance and is developed to its full extent within two generations by Leo I, under whom the western emperor Valentinian III issued a rescript in 445 recognising the Roman bishop's authority over the western church.

What is being done here is precise, and it is worth naming as a general mechanism because this collection has met it elsewhere. **When the ground of an institution's standing is threatened, the institution does not usually surrender the standing; it relocates the ground.** The rank stays; the argument for it is exchanged for a better one. In the Anglo and French fiscal studies, a crown facing a limit on one revenue instrument reached for another and kept the revenue. In the study of usury, a prohibition on lending at interest produced not less lending but the bill of exchange. Here, a canon threatening to make Roman primacy a function of imperial geography produced a Roman primacy founded on an apostle's tomb — which no council could move and no emperor could revoke, because it was a claim about the first century rather than the fourth.

Damasus was not founding a papal monarchy. He was a bishop in a declining city, watching a council in the new capital define his office out of its position, and he reached for the strongest argument available. What he actually built was a claim that did not depend on the Roman state at all — and that would therefore still be standing, and still working, when the Roman state in the west was gone.

PART VI

The Empire That Did Not Fall

This part exists to remove an error that otherwise makes the rest of the story unreadable, and to correct, in the open, one component of the hypothesis this volume began with.

The error is the idea that the Roman Empire fell in 476 and was succeeded, in the east, by a different and rather exotic Greek state called Byzantium. Almost every element of that sentence is wrong.

Take 476 first. In that year a Germanic commander of the Italian field army, Odoacer, deposed a boy named Romulus, nicknamed Augustulus, who had been installed as western emperor ten months earlier by his father and was recognised almost nowhere. Odoacer did not then declare himself emperor. He sent the imperial regalia to Constantinople, to the emperor Zeno, with the message that the west no longer required a separate emperor of its own and that he would govern Italy as Zeno's patrician. Whatever else that is, it is not the fall of the Roman Empire. It is the lapse of a subordinate imperial office and the reversion of the western provinces, in law, to the single remaining emperor — who was in Constantinople, and who was Roman.

Nobody at the time experienced 476 as an epoch. There was no announcement, no mourning, no sense of an ending; the deposed western emperor was pensioned off to Campania. The date acquired its significance from later historians looking for a boundary to put in a textbook.

Now the state in the east. It called itself the *Basileia tōn Rhōmaiōn*, the empire of the Romans. Its people called themselves *Rhomaioi*, Romans, and did so continuously until the Ottoman conquest of 1453 and in places after it. Their claim was not a piece of nostalgia or a rhetorical flourish; it was a matter of law and descent. Roman citizenship had been extended to virtually the whole free population of the empire by Caracalla's edict of 212, and the inhabitants of the eastern provinces held it by that inheritance. Their law was Roman law, codified and reissued by Justinian in the 530s and repeatedly thereafter. Their emperor sat in an unbroken line of succession from Augustus, with no gap and no refoundation. Their capital had been the imperial capital since 330. That they spoke Greek is beside the point: the eastern half of the empire had spoken Greek since it was conquered, and educated Romans had been bilingual for six centuries.

There is no moment at which the Roman Empire ends and something else begins. There is only a long contraction of a continuously existing state, punctuated by the loss of provinces, until in 1453 the last of it is taken.

What that state did next is the reason the west was left to its own devices. Justinian, from 533, undertook to recover the lost western provinces: Africa in a single campaign, then Italy, in a war against the Ostrogothic kingdom that ran from 535 to 554. He succeeded, and the success ruined what he had recovered. Twenty years of campaigning up and down the peninsula, with cities besieged and taken repeatedly, destroyed the agriculture, the aqueducts, the population and the urban order of Italy far more comprehensively than the Gothic kingdom ever had. The bubonic plague arrived in 541 and returned in waves. The Pragmatic Sanction of 554 reorganised a wrecked country. And fourteen years after the war ended, in 568, the Lombards crossed the Alps and took most of it, leaving the emperor's government in Italy — the exarchate, based at Ravenna — holding a shrinking archipelago of coastal territory and corridors.

From that point the imperial position in Italy is a garrison operation run from a capital fifteen hundred kilometres away, by a state fighting for its life on the Danube and, after 634, against the Arab conquests that took it more than half of everything it had. Rome was not abandoned out of indifference. It was abandoned because the men who would have defended it were needed to hold Anatolia, and a state under that kind of pressure defends its core.

Now the correction. The hypothesis this volume began with held that the renaming of the eastern empire as "Byzantium" was a fiction manufactured by the Holy Roman Empire to steal the Roman legacy. The record supports the substance of that reading and does not support its specific attribution, and the difference should be stated exactly.

What is well founded is that the *delegitimation* is a western political construction, and that it begins where this study says it does. After 800, when the west had crowned its own emperor, western sources overwhelmingly cease to call the men in Constantinople Romans and call them Greeks instead, and their ruler the emperor of the Greeks. This is not casual usage. It is the necessary consequence of a claim: two emperors cannot both be the Roman one, and having made a Frankish king into the Roman emperor, the Frankish and papal west had to demote the incumbent. Historians of the period call the resulting six-hundred-year quarrel the problem of two emperors, and it was one of the most contested issues in the diplomacy of both courts.

What is *not* well founded is the attribution of the word "Byzantine" to that campaign. The term comes from Hieronymus Wolf, a German humanist and librarian at Augsburg, who published a *Corpus Historiae Byzantinae* in 1557 — a collection of medieval Greek historical texts named after Byzantion, the city's pre-Constantinian name. Wolf was a Lutheran scholar cataloguing Greek manuscripts, working a century after the empire he was naming had ceased to exist, and the evidence that he was serving an imperial or Catholic political purpose is thin; the motive usually attributed to him by scholars is the ordinary humanist one of wanting a label that distinguished the medieval Greek-language material he was editing from classical Rome. The term then spread through a French scholarly project of the following century and became standard.

So the finding is this, and the volume revises accordingly. The political delegitimation of the eastern Romans is real, is western, and dates from the ninth century onward, for reasons this study can name precisely. The scholarly label that entrenched it is later, and is a by-product of a librarian's filing decision rather than a propagandist's. Which is, on reflection, the more characteristic result: the thing that fixed the fiction in place for four hundred years was not a plot but a book title.

PART VII

The Bishop Who Became a Government

Gregory was born about 540 into a Roman senatorial family, in a city that had been besieged and changed hands several times in the war Justinian's generals were then fighting. He served as prefect of Rome — the senior civil office in the city — and then abandoned public life, turned the family house on the Caelian into a monastery, and became a monk. In 579 he was sent to Constantinople as the pope's representative at the imperial court, where he spent six years asking for troops for Italy and being told there were none, because there were none. He came home. In 590 the plague swept Rome, killed Pope Pelagius II, and Gregory was elected in his place, reluctantly, at about fifty.

What he then did is the hinge of this study, and the important thing about it is that almost none of it was a bishop's work.

He fed the city. The Roman church had accumulated, over two and a half centuries of imperial grants and private bequests, an enormous landed estate — the patrimony of Peter — scattered across Italy, Sicily, Sardinia, Corsica, Dalmatia, Gaul and North Africa. Gregory reorganised its administration, imposed accounting standards and pursued corrupt agents, and turned its revenues into grain for a starving population, with the distributions recorded systematically at the Lateran.

He conducted the defence. With the exarch at Ravenna unable or unwilling to protect Rome, Gregory directed strategy, appointed a military governor to the city, paid soldiers, and dealt with the sedition of unpaid imperial troops, which he regarded as no less dangerous than the Lombards.

He conducted foreign policy. He negotiated directly with the Lombard duke of Spoleto and subsequently with King Agilulf, buying truces with money, and he ransomed captives. The emperor Maurice was furious at a bishop making treaties with the enemy, and wrote to say so, and Gregory answered him in terms few emperors had received from a subject. Britannica's summary of his own understanding of the role is exact: he saw himself as the treasurer who paid Rome's daily expenses and the paymaster of the Lombards, whose swords were held off by a daily ransom from the church.

Read the position rather than the man and the mechanism is plain. Gregory did not seek civil authority and did not claim it. He held the last functioning administrative apparatus in a city the state had stopped administering — the estates, the accounts, the staff, the granaries, the standing — and every problem that the vanished government would have handled arrived at his door because there was no other door. He solved them, one at a time, with the materials at hand. The title he chose for himself, and which his successors have used ever since, was *servus servorum Dei*, servant of the servants of God. He adopted it while refusing the grander title of universal bishop that the patriarch of Constantinople was using, and he adopted it while running a state.

That is the field of the visible doing its characteristic work. From where Gregory stood, there was no such thing as a decision to found a temporal power. There was a decision about whether to buy off Agilulf this year, and a decision about who would command the walls, and a decision about how much Sicilian grain to move in the spring. The aggregate of those decisions was a government. He could not see the aggregate, because nobody in his position ever sees the aggregate — this is the same blindness the collection's theoretical volume identified in the builders of formative institutions, who optimise the parts and cannot see the body the parts will compose.

But the aggregate had a defect that a lawyer would notice at once, and that would be fatal a century and a half later. Gregory's authority in Rome was entirely *de facto*. He had no title to any of it. The city, the estates, the whole peninsula were legally the emperor's, and Gregory was the emperor's subject, exercising by default

powers that belonged by right to a government that had ceased to appear. As long as the emperor's writ was a distant formality, the gap between fact and right cost nothing.

The moment somebody had to write the arrangement down, it would cost everything.

PART VIII

The Architect's Hour: A Deed to a Vanished Empire

Three things happened in the eighth century that destroyed the position the popes had held for two hundred years, and they happened in an order that left only one exit.

First, the emperor became the enemy. From about 726, and decisively from 730, the emperor Leo III in Constantinople began suppressing religious images. The popes refused to comply, and Rome and Constantinople entered a doctrinal quarrel in which the pope was the party defying imperial law. The emperor retaliated in the way an emperor does: by taking the money and the jurisdiction. The ecclesiastical provinces of Illyricum, and the churches and revenues of Sicily and Calabria, were transferred from the see of Rome to the patriarchate of Constantinople, and the papal patrimonies there confiscated. The dating of this transfer is contested — it is usually placed in 732 or 733, and some scholars argue for a later moment — but the substance is not. The pope lost a large share of his income and his southern jurisdiction, and lost it to the emperor who was supposed to be his protector.

Second, the protector disappeared. In 751 the Lombard king Aistulf took Ravenna. The exarchate — the imperial government of Italy, in continuous existence for a hundred and sixty years — ceased to exist. There was, from that moment, no imperial power in Italy at all, and a Lombard king demanding tribute from Rome with nothing between him and it.

Third, a Frankish mayor of the palace needed something only a pope could give. Pepin, son of Charles Martel, had for years held all the actual power in the Frankish kingdom while a Merovingian named Childeric III held the title. In 749 or 750 he sent two envoys — Bishop Burchard of Würzburg and the abbot Fulrad — to Pope Zacharias with a question so carefully framed that it contains its own answer: whether it was right that there should be kings in Francia who had no royal power. Zacharias replied that it was better that he who had the royal power should be called king than he who remained without it. Childeric was tonsured and sent to a monastery; Pepin was elected by the Franks and anointed at Soissons in 751.

That exchange is the first architect's hour of this chapter, and it is worth pausing on because it is so small and so consequential. A pope under acute military threat, with no army and no protector, possessed exactly one asset that a Frankish usurper wanted: the power to make a usurpation lawful. He sold it. He was buying a protector against the Lombards, which is a problem measured in seasons. What he was also doing, and could not see, was establishing the proposition that the legitimacy of a western crown could be certified in Rome. Three hundred and twenty-four years later a pope would deploy that proposition to depose a German emperor. Zacharias was thinking about Aistulf.

Then the sequence completes. In October 753 Pope Stephen II left Rome and crossed the Alps — the first pope ever to do so — and met Pepin at the royal estate of Ponthion on 6 January 754. The king led the pope's horse; the pope, in sackcloth, asked for the cause of St Peter and of the republic of the Romans, and Pepin promised to restore the exarchate of Ravenna and its territories. In April, at Quierzy, that promise was reduced to something more formal, though no text of it survives and its exact terms are reconstructed from later papal accounts and therefore contested. On 28 July 754, at Saint-Denis, Stephen anointed Pepin and his two sons and gave them the title *patricius Romanorum*, patrician of the Romans. Pepin invaded Italy twice, in 755 and 756, beat Aistulf, and in 756 handed the exarchate of Ravenna, the Pentapolis and their cities to the pope.

And now the legal problem, which must be stated exactly, because the entire remainder of this study grows out of it.

The land Pepin gave the pope was not Pepin's to give. The exarchate of Ravenna was imperial territory. It had been the emperor's government of Italy for a century and a half; Aistulf's seizure of it in 751 was a theft, not a transfer of title; and taking stolen property from a thief does not create ownership in the recapturer. The emperor understood this perfectly and demanded the exarchate back. Pepin refused, on the ground — reported in the Frankish sources — that he had campaigned for St Peter and would not deliver the territories to anyone else.

So at the close of 756 the bishop of Rome is in possession of a substantial Italian state, with no title to it whatever. His possession rests on the naked fact that a Frankish king took it by force from a Lombard king and gave it to him, over the loud and legally correct objection of its lawful sovereign. What is missing is precisely one thing: a document showing that the emperor had already, long ago, given the west away.

That document was produced. It is called the *Constitutum Constantini*, and later the Donation of Constantine.

Its content is exactly fitted to the defect. In it the emperor Constantine, cured of leprosy and baptised by Pope Sylvester, declares the Roman see supreme over the other great patriarchates — Antioch, Alexandria, Constantinople, Jerusalem — grants the pope the imperial insignia and the honours of the imperial office, gives him the Lateran palace, and confers on him and his successors Rome, the provinces and cities of Italy, and the western regions; and then withdraws to the east, on the stated ground that it is not fitting for an earthly emperor to hold power where the priest of the heavenly emperor has been established.

Read that against the situation of the 750s and every clause does work. It moves the papal title from Pepin, whose gift was void, to Constantine, whose gift would be unimpeachable. It explains why there is an emperor in the east and a pope in the west — not as a catastrophe but as a settlement Constantine himself designed. It secures the primacy over Constantinople that the canon of 381 had put in question, and does so by an act of the very emperor who founded the rival city. It attaches the imperial insignia to the papal office, which will matter enormously three centuries later. And it names the Lateran, the palace Constantine actually did give the Roman bishopric in the 310s, so that the forgery is anchored to a real and verifiable grant.

Who wrote it, and when, is genuinely contested, and this study will not pretend otherwise. The traditional view places it in the papal chancery or the Lateran in the second half of the eighth century, in or near the circumstances just described; Britannica's summary gives the range of estimates as 750 to 800 and the author as unknown. Horst Fuhrmann's critical edition for the *Monumenta Germaniae Historica* in 1968 remains the standard text and his surveys the standard account of the historiography. Nicolas Huyghebaert and Raymond-Joseph Loenertz argued that its real business was the standing of the Lateran basilica within Rome rather than a claim against the empire, and it has been suggested that its author was a Greek monk in a Roman monastery. Against all of these, Johannes Fried argued in 2007 for a Frankish origin, placing composition in the milieu of the Pseudo-Isidorian forgers around 830 to 833 and reading the grant of secular power as much narrower than the later tradition made it. Fried's linguistic case has been taken seriously and his dating has not been generally accepted; the eighth-century Italian origin remains the majority position, and the arguments from parallels with the letters of Popes Paul I and Hadrian I point that way.

This volume leans to the eighth-century Roman dating, for the ordinary reason that the document answers the eighth-century Roman problem clause by clause. But the point is flagged, not resolved, and a reader should know that a serious scholar has placed it eighty years later and four hundred miles north.

What is not contested is the part that matters for the argument. It is a forgery. It was made in the Latin west within a century of the Frankish alliance. It was made by someone who understood the legal defect in the papal position with complete precision. And it was made in secret, by an interested party, to deceive.

That is an architect's hour in the least deniable form the historical record offers. This study does not soften it and the framework does not need it softened. The claim of position logic has never been that the powerful do not scheme; it is that scheming is bounded — that it happens in rooms, in seasons, aimed at problems the schemer can see, and that what the scheme becomes is not his to determine. The forger of the *Constitutum* was solving the problem in front of him: an Italian land transfer with a hole in the title, contested by a Greek emperor who was also, at that moment, confiscating his revenues. He was not designing the medieval papacy. He was closing a conveyancing gap.

What happened to his document next is the subject of Part X, and it is the most interesting thing in this study.

PART IX

The Coronation That Required a Fiction

Before the forgery had a career, the alliance it was written to protect produced one more architect's hour, and this one was staged in public.

On 25 April 799, Pope Leo III was set upon in the streets of Rome during a procession by a faction of the Roman nobility connected to his predecessor's family. He was beaten, and his attackers attempted — the sources say — to blind him and cut out his tongue. He escaped, and fled north to Charlemagne at Paderborn, carrying accusations of perjury and adultery that his enemies had lodged against him.

This produced a problem with no clean answer. A pope stood accused. He could not be tried, because by the doctrine his own see had spent four centuries constructing, the apostolic see is judged by no one. But he could not simply be restored either, with the accusations standing and his enemies in the city. The Frankish king, meanwhile, had his own difficulty: he was the protector of the Roman church and the patrician of the Romans, titles that obliged him to act, and he had no lawful standing to conduct a trial of a bishop in a city that was, in the letter of the law, still the eastern emperor's.

Charlemagne came to Rome in late 800. On 23 December, in the presence of the assembly, Leo cleared himself not by trial but by a solemn oath of purgation — the mechanism by which an unjudgeable man could be declared innocent without anyone judging him. Two days later, on Christmas Day, Leo placed a crown on Charlemagne's head in St Peter's and the assembly acclaimed him emperor.

The move was possible because of a technicality in Constantinople. Since 797 the empire had been ruled by Irene, who had deposed her son Constantine VI and had him blinded, and who governed in her own name. In the Frankish and papal reading, a woman on the throne meant the imperial office was vacant. The throne was not empty in any sense the Romans recognised — Irene was the reigning Roman emperor and her officials, her armies and her law all functioned — but the west required it to be empty, and declared it so. Charlemagne's biographer Einhard later claimed that his master would not have entered the church that day had he known what the pope intended, a claim usually read now as an apologetic constructed after the fact, and flagged here as contested.

Whatever was intended in the church, two consequences followed that nobody in it designed.

The first was six centuries of quarrel. There were now two emperors of the Romans, and the office does not admit of two. The diplomatic problem this created — historians call it the problem of two emperors — outlasted every person present at the coronation and was still live in the fifteenth century. And it forced the linguistic move described in Part VI: to sustain a western Roman emperor, the eastern one had to be renamed, and from this period western documents call him the emperor of the Greeks.

The second was more consequential and entirely accidental. Leo III crowned Charlemagne in order to resolve his own position — to convert a protector into something with a formal standing in Rome, and to place the man who had just cleared him in a relationship of obligation to the see that had crowned him. But the act had a structure the act's author did not choose. **A crown that is conferred can be withheld.** From 800 onward, the western imperial title passed through the hands of the bishop of Rome, and every subsequent claimant to it needed him. Nobody at Rome in 800 sat down and decided to make the papacy the notary of the western empire. A pope solved a purge, and the office he held acquired a function that would be turned, within three centuries, against emperors far stronger than Charlemagne.

Zacharias in 751 established that a western crown could be certified in Rome. Leo in 800 established that the highest western crown was actually conferred there. Both men were solving problems measured in

months. Between them they built the instrument that the reform papacy would pick up in the eleventh century and use to bring an emperor to Canossa in the snow.

PART X

The Institution's Logic: What the Forgery Did Next

Here is the finding this study exists to report, and it is the sharpest test the framework has been put to in this collection.

The Donation of Constantine did almost nothing for roughly three hundred years.

It was forged, on the majority dating, in the third quarter of the eighth century, at the moment of maximum need, by someone who understood the papal position with a lawyer's exactness. And then the popes who needed it did not use it. There is a possible allusion in a letter of Hadrian I to Charlemagne in 778, urging the king to follow Constantine's example in endowing the Roman church — an allusion, at most, and contested as evidence. Beyond that, silence. Through the whole Carolingian period, through the settlement of the papal states, through the coronation of 800 and the imperial quarrels of the ninth century, the document that supposedly established papal sovereignty over the west sits in the record without a papal citation. Britannica records the point flatly: it had only limited impact at the time of its compilation.

The first pope to invoke it in an official act was Leo IX, in a letter of 1054 — and the target was not a western king or an emperor with designs on Italy. It was the patriarch of Constantinople, Michael Cerularius, in the exchange that produced the schism between the eastern and western churches. Leo cited a long stretch of the document to argue that the Roman see held both an earthly and a heavenly authority, and assured the patriarch it was entirely genuine. (Even here the record has a complication worth flagging: some scholars hold that the harsh letter of September 1053 in which this citation appears was drafted and set aside rather than dispatched, with a milder letter sent instead.)

Three hundred years. And when the document finally surfaced in a papal hand, it was aimed at a quarrel over ritual and precedence with the Greek church, not at the western sovereignty its forger had been trying to secure.

Meanwhile, the strongest early attack on it came from the west's own imperial chancery: around the year 1001, the chancery of the emperor Otto III denounced it as a fabrication — before any pope had leaned on it in public.

What changed after 1054 was not the document but the position of the institution holding it. The *Constitutum* had been absorbed into the great ninth-century collection of forged and genuine canons known as Pseudo-Isidore, and Pseudo-Isidore circulated widely; by the mid-eleventh century the material was everywhere in the canonists' hands. And in the mid-eleventh century a movement inside the church — the Gregorian reform — set out to free ecclesiastical appointments from lay control, which put it into direct collision with every ruler in Europe, all of whom appointed bishops as a matter of course because bishops held land and administered justice.

That collision is what gave the forgery its work.

In the register of Gregory VII, under the year 1075, stand twenty-seven propositions known as the *Dictatus Papae*. Whether Gregory composed them, and whether they belong to 1075 or to a later compilation, are both disputed, and the document was not circulated publicly at the time. What it states is the completed claim. That the Roman church was founded by God alone. That the pope alone may use the imperial insignia. That of the pope alone all princes shall kiss the feet. That he may be judged by no one. That the Roman church has never erred and will never err. And, item twelve: *That it may be permitted to him to depose emperors.* The last proposition of the twenty-seven adds that he may absolve subjects from their oaths of fealty to wicked men — which, in a political order held together entirely by oaths of fealty, is a weapon of the first order.

Note the eighth proposition in that list. The claim that the pope alone may use the imperial insignia is not scriptural, is not apostolic, and has no basis in the church's tradition. It is a clause of the Donation of Constantine, restated as a rule of law.

Within two years the claim was tested. Gregory excommunicated the emperor Henry IV and released his subjects from their oaths; Henry's German magnates, who had their own reasons for wanting a weakened king, gave him a year to be absolved or lose the kingdom; and in January 1077 the emperor stood outside the castle at Canossa in the snow to obtain it. The scene has been over-read ever since — Henry recovered, drove Gregory from Rome, and installed an antipope, and Gregory died in exile at Salerno. But the instrument had been demonstrated in public, and the demonstration is what mattered.

The claim reached its full extension under Innocent III, pope from 1198 to 1216, who described the papal and royal powers as the sun and the moon, the second deriving its light from the first, and who in 1213 received the kingdom of England from King John as a papal fief, John having surrendered it and taken it back to hold of the pope. Within four centuries of Zacharias answering a Frankish envoy's question about titles, the see of Rome was the acknowledged licensor of monarchy in the Latin west.

And then the institution's logic did what this collection's framework says it does: it ran past the position it was built on, and the correction was brutal.

Boniface VIII, elected in 1294, was a canon lawyer of formidable ability and no political judgement whatever, and he inherited a quarrel with Philip IV of France over the taxation of the clergy — the ordinary, grinding, revenue-driven quarrel that this collection's fiscal studies have found underneath so many constitutional crises. Philip arrested a French bishop for treason and refused to surrender him to church jurisdiction. In April 1302 he convened an assembly of clergy, nobles and townsmen in Paris — the meeting usually counted as the first Estates-General — which denounced the pope; and the royalist side circulated a forged bull, *Deum Time*, in which Boniface was made to claim feudal overlordship of France. Forgery, it should be noted, was a technique of the age and not the signature of a conspiracy: both sides used it.

On 18 November 1302 Boniface issued *Unam Sanctam*. It is the most extreme statement of papal authority ever promulgated, and it closes with the only dogmatic definition in the text: *it is altogether necessary to salvation for every human creature to be subject to the Roman Pontiff.* One of Philip's ministers is said to have observed that the king's sword was steel and the pope's was made of words — a remark reported in the tradition and worth treating as characterisation rather than transcript.

The remark was accurate. In September 1303, Philip's agent Guillaume de Nogaret, with the Colonna family, seized the pope at Anagni and held him for three days. Boniface was freed by the townspeople and died in Rome a month later. In 1309 the papacy moved to Avignon, where it remained for sixty-eight years under substantial French influence, and from there proceeded into the Great Schism, in which two and then three men claimed the office simultaneously and Europe divided its obedience between them.

Set the two dates beside each other, because the juxtaposition is the whole argument of this part. **November 1302: the most absolute claim to universal sovereignty ever issued by the office. September 1303: the holder of the office arrested by a French lawyer with a troop of soldiers.** Ten months.

That is not a coincidence, and it is not simply bad luck in the person of Boniface. It is what an institution's logic does. The claim had been assembled over five hundred years, in increments, each of which was a reasonable response to a real situation: Damasus answering a council canon, Zacharias buying a protector, Leo III resolving a purge, Gregory VII fighting lay investiture, Innocent III managing a continent of quarrelling kings. Each increment made the next one available. None of them was calibrated against the

actual power of the office, because nobody was in a position to perform that calibration — each man saw the problem in front of him and the precedent behind him, and neither of those tells you where the limit is. By 1302 the doctrine had escalated to a claim of universal subjection at exactly the moment the kingdoms of France and England had developed the tax systems, standing administrations and national churches that made them capable of ignoring it.

And here the reversal is complete, because the kings who broke the papal claim were kings whose legitimacy the papacy had spent five centuries manufacturing. The instrument built by Zacharias in 751 to certify a usurper had, by 1303, produced monarchies strong enough to arrest the certifier.

PART XI

The Line Through the Ocean

The papacy's furthest reach came a century and a half after Anagni, and it came in a form that would have astonished every man in this study.

The instrument had precedents. In 1452 Nicholas V issued *Dum Diversas*, and in 1455 *Romanus Pontifex*, authorising the Portuguese crown to subdue and reduce to perpetual servitude the non-Christian peoples of the African coast and to take their lands and goods. In 1481 Sixtus IV confirmed Portuguese rights south of the Canaries in *Aeterni regis*. Behind these lay a much older instance, the bull *Laudabiliter* of 1155, by which Adrian IV was said to have granted Ireland to Henry II of England — a document whose authenticity has been questioned since the sixteenth century and remains disputed.

Then, in March 1493, Christopher Columbus returned to Lisbon and then to Spain, and the Castilian crown found itself holding a discovery it could not defend at law. Portugal had the stronger navy, the longer record of Atlantic exploration, and a portfolio of papal grants. Ferdinand and Isabella needed a title, and they applied for one to a pope who was, conveniently, an Aragonese: Rodrigo Borgia, Alexander VI.

He granted it. In the bull *Inter caetera*, dated 4 May 1493 and almost a verbatim expansion of one dated the day before, Alexander drew a line from pole to pole one hundred leagues west of the Azores and the Cape Verde islands, and gave the Catholic Monarchs full power, authority and jurisdiction over the lands discovered and to be discovered west of it, with a prohibition under penalty of excommunication on any other Christian entering them without licence. A further bull later that year, *Dudum siquidem*, extended the grant eastward toward India.

Stop and look at what that is. A bishop in Italy, on the basis of a claim that his office had received the western world from an emperor seventeen centuries earlier — a claim resting on a document forged seven hundred years earlier by a man solving a land-title problem in Lazio — assigned the ownership of a hemisphere he had never seen to a monarchy that had seen one island of it, over the heads of populations who were not parties to the transaction and did not know it had occurred. It is the single widest exercise of authority in this study, and possibly in this collection.

And it deflated within a single generation, in a sequence that the framework predicts and that is worth setting out step by step.

Step one: the losing party refused. John II of Portugal would not accept the line and did not appeal to Rome against it. He went instead to Ferdinand and Isabella and demanded direct negotiation.

Step two: the parties settled it between themselves. At Tordesillas on 7 June 1494, Spanish and Portuguese diplomats moved the line to three hundred and seventy leagues west of the Cape Verde islands — a bilateral treaty, negotiated by ambassadors, from which the pope was absent. The shift would, six years later, put Brazil on the Portuguese side.

Step three: they wrote the pope out of the enforcement. The treaty contained a clause by which the two crowns bound themselves *not to appeal to papal authority against its terms* — they would ask only for its recognition. That is a remarkable provision to find in 1494. It converts the pope from the source of the right into a registrar of an agreement made elsewhere, and it does so at the initiative of the two most Catholic monarchies in Europe.

Step four: the recognition arrived late and sideways. It came only on 24 January 1506, more than eleven years later, in Julius II's bull *Ea quae pro bono pacis*.

Step five: the next time, nobody asked. When the same two crowns divided the other side of the world in the Treaty of Zaragoza in 1529, fixing the antimeridian to settle the Moluccas, no papal confirmation was sought at all.

Thirty-six years separate *Inter caetera* from Zaragoza. Inside that span the papacy's arbitral authority over the globe is asserted at its maximum, negotiated around, contractually excluded, belatedly registered, and finally dispensed with. The apex and the obsolescence occupy the same generation, and the men who dismantled it were the very monarchs the office had spent centuries authorising.

The line itself outlived the authority that drew it. It survives in the borders of Brazil, in the linguistic map of South America, and — more darkly — in the legal doctrine that grew from these bulls. The concept known as the doctrine of discovery, by which European claims to inhabited lands were held to be valid against their inhabitants, was assembled by colonial lawyers from the sixteenth century onward and given its most influential modern statement by the United States Supreme Court in 1823. On 30 March 2023, the Vatican's Dicasteries for Culture and Education and for Promoting Integral Human Development issued a joint statement repudiating that doctrine, stating that it is not part of the church's teaching and that the bulls in question — *Dum Diversas*, *Romanus Pontifex* and *Inter caetera* — had never been expressions of the Catholic faith, while acknowledging that they did not adequately reflect the equal dignity and rights of indigenous peoples.

Five hundred and thirty years is a long time for an institution to take to disown a document. It is also a measure of how far a claim can travel once it has left the hands of whoever wrote it.

PART XII

The Exposure That Changed Nothing

The Donation was demolished in the fifteenth century, three times over, and the demolition is one of the founding events of modern historical method.

The first blow came from inside the hierarchy. In 1433, in *De concordantia catholica*, Nicholas of Cusa — a German canonist arguing the conciliarist case that a general council stands above the pope, and later himself a cardinal — set out the grounds for thinking the Donation false.

The decisive blow came seven years later. Lorenzo Valla was a humanist of ferocious talent and worse temper, then employed as secretary to Alfonso of Aragon, who was at that moment at war with Pope Eugenius IV over the kingdom of Naples. In 1440 Valla wrote the *Declamatio de falso credita et ementita Constantini donatione* — a discourse on the falsely believed and forged Donation of Constantine. His method was philological and it was new. He did not argue from theology or from politics. He argued that the Latin of the document could not have been written in the fourth century; that its vocabulary contained terms that did not exist then, including feudal ones; that it used titles and institutions anachronistically; and that its account of events contradicted the known history. The technique — proving a document false from its own language — is the beginning of modern diplomatics, the science of authenticating records, and it was invented in the course of an argument about this one text. Valla knew what he was risking, and wrote that he was attacking not merely the dead but the living, not private persons but the authorities.

Independently of both, Reginald Pecock, bishop of Chichester from 1450, reached the same conclusion in England.

The tract then had the career of dangerous writing. It circulated in manuscript, reached print in a rare edition of 1506, and was edited and published in 1517 by the Lutheran humanist Ulrich von Hutten — the date is given variously and the imprint is uncertain — after which it became standard equipment for the Reformation. Luther translated it into German.

And now the finding, which is not what the story usually implies.

Exposing the forgery changed very little, because by 1440 the forgery was no longer load-bearing.

Consider what the papacy of 1440 actually rested on. The papal states were held by occupation, garrison and Italian alliance, as ordinary a territorial power as Milan or Venice and defended by the same means; no one dislodged a pope from Bologna by an argument about Latin syntax. The primacy over the church rested on Peter — the ground Damasus had moved it to a thousand years earlier precisely so that it would not depend on any emperor's grant. The deposing power had been asserted, exercised, and by 1440 largely broken, not by scholarship but by Anagni and Avignon and the schism. The Donation had been useful as a supplementary argument in the canonists' arsenal from the eleventh century to the thirteenth. By the fifteenth it was decoration on a building that stood on other foundations.

Valla destroyed a title deed to a house that had long since been held by possession. The house did not fall down.

There is a further point here that the framework insists on, and it cuts against a sentimental reading of the exposure. The men who exposed the forgery were not disinterested. Valla was a paid polemicist working for a king at war with the pope, and the tract is properly read as part of that campaign; Cusa was arguing a conciliarist case against papal monarchy; Hutten and Luther printed it as ammunition. Position explains the timing of the exposure as neatly as it explains the timing of the forgery. It does not touch the truth of the philological argument — a proof is a proof whoever is paying for it, and Valla was right. But it does explain why the proof arrived in 1440 rather than in 900, when the same evidence was equally available to anyone who read Latin. Nobody had a reason to look.

PART XIII

The Ledger

Both columns, in ink.

In the column of the achievements, which are real and which an account organised around a forgery can obscure: the Roman see preserved literacy, administrative technique, and legal continuity through three centuries in which the west possessed no state worth the name, and it preserved them not as a museum but in working order. Gregory's grain kept a city alive. The canon law that the papacy assembled and the universities taught gave Europe its first supranational legal order and, with it, a proposition of the first importance — that a ruler is under law, answerable to a standard he did not set and cannot revise. The church's insistence that a marriage required the consent of both parties cut against the property interests of every noble family in Europe and held. Its sanctuary, its Peace and Truce of God, and its slow campaign against private war were real restraints on real violence in a period that had few. And the institution proved capable of producing its own most rigorous critics: the man who first demonstrated the Donation false was a cardinal of the church, and the man who proved it was a Catholic priest.

In the column of the costs, held at equal strength: a fabricated imperial decree shaped the public law of a continent for six hundred years, and was defended as genuine by men who had every professional reason to check it and did not. The deposing power turned oaths of fealty into a papal weapon and made civil war a spiritual duty. Crusades were preached from Rome, with what followed. *Unam Sanctam* made subjection to a particular office a condition of salvation for every human being alive. And in 1493 a line was drawn through an ocean that assigned the lands and the labour of peoples who were not consulted, not informed, and not counted, and the legal doctrine grown from that grant was still being cited in the courts of a great power in the nineteenth century and was formally repudiated by the institution that issued it only in 2023.

The case resolves, as this project's cases tend to, against both easy pictures and into the harder one between them.

It was not a conspiracy. There was no continuous directorate. The men in this study are separated by centuries and by incompatible aims, and several of them worked directly against the interests of the office as their successors would define it. Constantine built a church subordinate to the emperor. Damasus was defending a rank, not designing a monarchy. Gregory ran a city because no one else would and called himself the servant of the servants of God while doing it. Zacharias sold a legal opinion to buy an army. Stephen took land from a Frank because a Lombard had taken it from a Greek. Leo III crowned a king to get out of a criminal accusation. Not one of them could see the next link, and the chain runs eleven hundred years.

And it was not an accident, in the sense of being nobody's doing. Every step was a decision, most of them taken by shrewd men who understood their immediate situation exactly. The forger of the *Constitutum* knew precisely what defect he was curing and precisely whom he intended to deceive. Gregory VII knew what item twelve of the *Dictatus* was for. Alexander VI knew whose crown he was serving when he drew the line where he drew it. This collection's companion paper on founding texts makes the general case, and this study is a specimen of it: the intentional architect is the default at every layer, and the layered, self-serving, retrospectively-attributed document is the fossil record of continuous intentional architecture rather than evidence of its absence.

It was an architect's hour, and then another, and then another — 313, 325, 330, 380, 382, 445, 751, 754, the forgery somewhere between 750 and 800, 800, 1075, 1213, 1302, 1493 — each a bounded episode in which identifiable people solved a real and pressing problem with the materials at hand, skewed the settlement toward their own position in plain sight, and then died and handed the result to a structure that carried it forward on a logic none of them chose.

And the case makes one claim about that structure sharper than any other in this collection, because it offers the framework its hardest opponent and the opponent loses on the evidence. The Donation of Constantine is a real conspiracy: deliberate, secret, self-interested, criminal, and successful in the narrow sense that it was believed for seven hundred years. If the cabal reading of history were ever going to be vindicated, this is the document that would do it.

Look at what the conspirator got. He wrote to secure an Italian land transfer against a legal objection from Constantinople. The transfer held, but it held because Frankish soldiers were standing on it, not because anyone read his document — for three hundred years no pope cited it. When a pope finally did, in 1054, he aimed it at the Greek church and helped produce a schism the forger cannot have wanted. Its great career came in the eleventh century, in a quarrel over the appointment of bishops that did not exist when it was written, deployed by a reform movement whose programme its author would not have recognised, to depose a German emperor of whom he had never heard. Its clause about the imperial insignia became a proposition of canon law. Its territorial grant helped underwrite a claim to arbitrate the ownership of continents nobody in the eighth century knew existed. And the whole apparatus reached its most absolute formulation in 1302 and was arrested by a French lawyer in 1303.

The conspiracy was real and the conspiracy theory is still wrong, because the conspirator got a season's relief and the institution got eleven centuries, and the two have almost nothing to do with each other.

The last reversal is the largest, and it belongs to Constantine. He reached for the church because his predecessor's legitimating device had failed and he needed one that would survive its holder — something binding, portable, organised, and incapable of raising an army against him. He got it. Within five centuries the bishop of the city he had left behind was in possession of a document declaring that Constantine had given him the west and withdrawn east to make room for him. Within eight, the holder of that office was claiming the right to depose emperors, and within twelve he was assigning hemispheres. The emperor who took the church into the state produced, at the far end of the institution's logic, a church that claimed to make emperors — and the device he chose precisely because it could not raise an army eventually did not need one, because it had something better: the power to say who was lawfully king.

The most durable thing in this story is not a man and not a plot. It is a document written by an unknown hand, in a room nobody can now locate, in a decade scholars still argue about, to solve a problem that lasted a generation — and running still, in the borders of a state that survives in Rome, in the frontier between Portuguese and Spanish America, and in the long habit of mistaking a sediment for a design.

Held, like everything in this project, as tested, not revealed.

A Note on Sources

This is a work of synthesis, and every quotation has been verified to a published source; none is invented. Where scholarship is divided, the division is reported.

On the third century and Diocletian. The crisis of the third century, the sequence of short-lived emperors, the Palmyrene and Gallic secessions, the capture of Valerian, the currency debasement and the plague follow the standard narrative histories of the later Roman Empire. The Tetrarchy of 293, the provincial and diocesan reorganisation, the separation of civil and military command, and the price edict of 301 follow the same literature; the *Jovius* and *Herculius* titulature and its function as a legitimating device are standard in the scholarship on tetrarchic ideology. The Great Persecution from February 303, its uneven enforcement between east and west, and Galerius's edict of toleration in 311 follow the standard accounts.

On Constantine. The Milvian Bridge (28 October 312); the agreement at Milan in 313 and its character as a rescript or letter rather than an edict in the technical sense; the clerical immunities and the *episcopalis audientia*; the grant of the Lateran; the summoning, funding and presidency of the Council of Nicaea in 325 and Sylvester's absence; and the deathbed baptism of 337 by Eusebius of Nicomedia — follow the standard scholarship on Constantine, including Timothy D. Barnes, *Eusebius and Constantine* (Harvard, 1981), and the wider literature on the fourth-century church. The question of Constantine's religious sincerity is genuinely contested and is treated here as unresolvable and unnecessary to the argument; the reader who wants the debate should begin with Barnes and with the essays collected in the recent Oxford literature on the fourth-century monarchy.

On Constantinople. The consecration of 324 and the dedication of 11 May 330; the strategic reasoning; and the precedent of tetrarchic residences at Nicomedia and Thessalonica, follow the standard histories. The question of whether the city was founded as a Christian capital is contested, and this study reports it as such: Eusebius's *Life of Constantine* presents a city without idolatry, while Zosimus's *New History*, written by a pagan in the early sixth century, describes temples and imported statuary and omits churches. The observation that the buildings hurried for the 330 dedication were secular, that no church was constructed with comparable haste, and that the founding rites employed pagan priests, astrologers and augurs, follows the modern discussion of the foundation; this study finds the "accumulation rather than foundation" reading better supported and says so.

On the fourth-century legal and conciliar settlement. The Edict of Thessalonica of 27 February 380 (*Cunctos populos*) is quoted from the standard English translation, which renders the naming of Damasus and Peter of Alexandria as the standard of faith and the description of dissenters as foolish madmen; the Latin text is in the *Codex Theodosianus* XVI.1.2. The third canon of the First Council of Constantinople (381) is quoted from the standard English text in the *Nicene and Post-Nicene Fathers*, second series, volume XIV. The twenty-eighth canon of Chalcedon (451) and Leo I's rejection of it follow the same literature. The Roman synod of 382 under Damasus and its assertion that Roman primacy rests on the evangelical word rather than on conciliar decision are reported here with an explicit flag: the surviving text is the so-called *De-*

cretum Gelasianum, whose date and authorship are disputed and which a number of scholars place substantially later than 382. Valentinian III's rescript of 445 in favour of Leo I is *Novella* 17.

On the eastern empire and the "Byzantine" question. The events of 476 — Odoacer's deposition of Romulus Augustulus and the return of the imperial insignia to Zeno — follow the standard accounts. The continuity of Roman identity in the east, the self-designation *Rhomaioi* and *Basileia tōn Rhōmaiōn*, and the argument that the "Byzantine" frame obscures a legal and institutional continuity, follow Anthony Kaldellis, *Romanland: Ethnicity and Empire in Byzantium* (Harvard, 2019) and *The New Roman Empire: A History of Byzantium* (Oxford, 2024). The coinage of the term is Hieronymus Wolf's *Corpus Historiae Byzantinae* (Augsburg, 1557). This study explicitly corrects the hypothesis it began with: the claim that Wolf coined the term in order to transfer the Roman legacy to the Holy Roman Empire is widely repeated online and is not well supported in the scholarship, which generally reads his motive as humanist classification. The delegitimation itself — the western practice of calling the eastern Romans "Greeks" — is real, is a consequence of the coronation of 800, and is treated in the literature under the heading of the problem of two emperors. Justinian's reconquest (533–554), the Pragmatic Sanction of 554, the plague of 541 and the Lombard invasion of 568 follow the standard histories.

On Gregory the Great. The election of 590 during plague; the reorganisation of the patrimony of Peter and its estates in Italy, Sicily, Sardinia, Corsica, Dalmatia, Gaul and North Africa; the grain distributions recorded at the Lateran; the appointment of a military governor, the payment of soldiers, and the direction of strategy; the direct negotiations with the duke of Spoleto and with King Agilulf and the ransoming of captives; the friction with the emperor Maurice; and the adoption of the title *servus servorum Dei* — follow the standard scholarship and the Britannica article on Gregory, which characterises his own view of the role in terms of the treasurer of Rome's daily expenses and the paymaster of the Lombards. The judgment that his position made him a civil ruler in fact but not in law follows the standard reference literature.

On the eighth century. The iconoclast controversy from the 720s, the papal refusal, and the transfer of Illyricum, Sicily and Calabria to the patriarchate of Constantinople with the confiscation of the papal patrimonies follow the standard accounts; the dating of that transfer, usually given as 732–733, is contested and is flagged as such. Aistulf's capture of Ravenna in 751 and the end of the exarchate; Pepin's question to Zacharias in 749–750 and the reply that it was better that he who had the royal power should be called king; the tonsuring of Childeric III and Pepin's anointing at Soissons by Boniface in 751; Stephen II's crossing of the Alps in October 753, the meeting at Ponthion on 6 January 754, the promise at Quierzy in April 754 (of which no text survives, so that its terms are reconstructed from later papal accounts and are contested), the anointing at Saint-Denis on 28 July 754 and the title *patricius Romanorum*, the campaigns of 755 and 756 and the transfer of the exarchate and Pentapolis to the pope, and Pepin's refusal of the emperor's demand for their return — follow the *Liber Pontificalis*, the *Annales Regni Francorum*, and the standard modern accounts, including the Britannica treatments of the Donation of Pippin and of Stephen II.

On the Donation of Constantine. The document's content — the leprosy and baptism legend, the primacy over Antioch, Alexandria, Constantinople and Jerusalem, the imperial insignia, the Lateran, and the grant of Rome, Italy and the western regions — follows the critical edition, Horst Fuhrmann (ed.), *Das Constitutum Constantini*, MGH Fontes iuris Germanici antiqui in usum scholarum 19 (Hanover, 1968), with the English translation in Mark Edwards (trans.), *Constantine and Christendom* (Liverpool, 2003). **The date and place of composition are genuinely contested and this study does not resolve them.** The traditional and still majority view places composition in Italy, probably at the Lateran, in the second half of the

eighth century; Britannica gives the range of estimates as 750 to 800 with an unknown author. Nicolas Huyghebaert and Raymond-Joseph Loenertz argued for a context in the affairs of the Lateran basilica; the suggestion of a Greek monk in a Roman monastery appears in the same literature. Johannes Fried, *Donation of Constantine and Constitutum Constantini: The Misinterpretation of a Fiction and Its Original Meaning*, with a contribution by Wolfram Brandes (Berlin: de Gruyter, 2007), argues for a Frankish origin around 830–833 in the milieu of the Pseudo-Isidorian forgeries; the linguistic case has been taken seriously and the dating has not been generally accepted. Readers wanting the historiography should begin with Fuhrmann's surveys.

On the document's later use. The possible allusion in Hadrian I's letter to Charlemagne of 778 is reported here as an allusion and as contested. The judgment that the document had only limited impact at the time of its compilation follows Britannica. Leo IX's letter of 1054 to Michael Cerularius as the first invocation in an official papal act follows the standard reference literature; the qualification that the September 1053 letter may have been drafted and set aside rather than sent is reported in the scholarship on the schism. The denunciation of the document by Otto III's chancery around 1001 follows the same literature. Its transmission through the ninth-century Pseudo-Isidorian collection and its consequent effect from the mid-eleventh century follow Fuhrmann.

On the reform papacy and its limits. The *Dictatus Papae* is quoted from the translation in Ernest F. Henderson, *Select Historical Documents of the Middle Ages* (London, 1910), from Gregory VII's register under 1075; its authorship and dating are disputed and it was not publicly circulated at the time, and both points are flagged. Canossa (January 1077), Gregory's subsequent expulsion from Rome and death at Salerno, Innocent III's sun-and-moon analogy, and King John's surrender of England as a papal fief in 1213, follow the standard histories. *Unam Sanctam* (18 November 1302) is quoted from the standard English rendering of the concluding definition; the Latin is *Porro subesse Romano Pontifici omni humanae creaturae declaramus, dicimus, definimus, et pronuntiamus omnino esse de necessitate salutis*, preserved in the Vatican registers and in the *Corpus iuris canonici*. The Paris assembly of April 1302, the royalist forgery *Deum Time*, the seizure at Anagni in September 1303, and the removal to Avignon in 1309 follow the standard accounts; the remark attributed to Philip's minister about the two swords is reported in the tradition and is flagged as characterisation rather than verified transcript.

On the division of the New World. *Dum Diversas* (1452), *Romanus Pontifex* (1455) and *Aeterni regis* (1481) follow the standard collections of the bulls. *Inter caetera* of 3 and 4 May 1493 and *Dudum siquidem* follow the Latin texts edited in the Vatican-based collections and the English translations in Frances Gardiner Davenport (ed.), *European Treaties bearing on the History of the United States*, vol. 1. The Treaty of Tordesillas of 7 June 1494, the shift of the line to 370 leagues, the ratifications of July and September 1494, the clause by which the parties bound themselves not to appeal to papal authority against the treaty but only to request its recognition, the confirmation by Julius II in *Ea quae pro bono pacis* of 24 January 1506, and the absence of any papal confirmation for the Treaty of Zaragoza in 1529, follow the *Oxford Public International Law* treatment of the treaty and the standard diplomatic literature. *Laudabiliter* (1155) is flagged as of disputed authenticity. The Vatican's repudiation of the doctrine of discovery is the Joint Statement of the Dicasteries for Culture and Education and for Promoting Integral Human Development, 30 March 2023.

On the exposure. Nicholas of Cusa's treatment in *De concordantia catholica* (1433); Lorenzo Valla's *Declamatio de falso credita et ementita Constantini donatione* (1440), written while he was secretary to Alfonso of Aragon during that king's conflict with Eugenius IV; Reginald Pecock's independent conclusion as

bishop of Chichester from 1450; the first printing of 1506 and Ulrich von Hutten's edition of 1517, whose imprint and precise date are uncertain and variously given; and Luther's use of it — follow the introduction to Christopher B. Coleman's edition and translation, *The Treatise of Lorenzo Valla on the Donation of Constantine*, and the scholarship cited there, including the comparative treatment of Pecock and Valla in *Studies in the Renaissance*.

On the framework. The concepts of *position*, the *field of the visible*, *convergence*, the *architect's hour*, and the *institution's logic* belong to the Patterns of Power project of which this paper is part and are developed across its studies, in particular *Position Logic* and *Against the Historian's Reflex*. The reading of an institution's builders as parts-optimisers blind to the aggregate they are assembling follows this collection's theoretical paper, *The Composable Class*. The pattern of a threatened institution relocating the ground of its standing rather than surrendering the standing is developed in the fiscal studies *Extraordinary and Temporary* and *Exempt*. Where this study's claims err, they should err visibly, in a form the cited scholarship can correct.

Part of the collection Patterns of Power. Tested, not revealed.